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S/PRST/1996/37
30 August 1996

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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3693rd meeting of the Security Council, held on 30 August 1996 in connection with the Council's consideration of the item entitled "Demining in the context of United Nations peace-keeping", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has reviewed the issue of demining in the context of United Nations peace-keeping and has given careful consideration to the views expressed in the open debate under the item 'Demining in the context of United Nations peace-keeping' in its 3689th meeting on 15 August 1996.

"The Security Council, bearing in mind its responsibilities with regard to United Nations peace-keeping, notes that the widespread indiscriminate use of anti-personnel mines in areas of United Nations peace-keeping operations poses serious impediments to such operations and to the safety of United Nations and other international personnel. Against this background, the Council states the following:

"1. Operational demining should be, wherever appropriate, an important element and an integral part of peace-keeping mandates. This will facilitate the implementation of those mandates and better enable the Secretary-General to allocate appropriate resources towards achieving their objectives.

"2. The early deployment of mine clearance units will often be important to the effectiveness of a peace-keeping operation. The Council encourages the Special Committee on Peace-keeping Operations to examine options for achieving such early deployment. It also encourages Member States to examine whether and in what form they might be able to help in this respect.

"3. The tasks of, on the one hand, operational mine clearance during peace-keeping operations, which is the responsibility of the Department of Peace-keeping Operations, and, on the other hand, longer-term humanitarian mine-clearance activities, which fall under the responsibility of the Department of Humanitarian Affairs, are different. The Council is,

however, aware of linkages and complementarities between different elements of conflict resolution as well as of the need to ensure a smooth transition from demining as a peace-keeping requirement to demining as part of peace-building in a follow-up phase.

"The Security Council, thus, is of the opinion that coordination and a clear delineation of responsibilities between the two Departments as well as with regard to other United Nations agencies dealing with demining could be further improved so as to avoid duplication of effort and to guarantee a coherent and integrated approach towards the whole range of short and long-term demining needs. With particular reference to paragraph 51 of the report of the Special Committee on Peace-keeping Operations of 7 May 1996 (A/51/130), the Council requests the Secretary-General to intensify his efforts aiming in this direction.

"The Security Council emphasizes the importance of coordination by the United Nations of activities related to mine clearance in the context of United Nations peace-keeping, including those by regional organizations, in particular in the areas of information and training.

"4. The primary responsibility for demining in the context of United Nations peace-keeping lies with parties responsible for the laying of mines. Parties to a conflict must desist from further mine laying once a peace-keeping operation is established. They are also obliged to facilitate humanitarian and military demining efforts by providing detailed maps and other relevant information on those mines that have already been laid by them and by contributing financially or otherwise to their removal.

"5. The international community should intensify, multilaterally or bilaterally, its efforts in assisting those parties to a conflict which have shown their readiness to cooperate with mine clearance, mine awareness and training programmes in the context of United Nations peace-keeping operations. In this connection, the Council welcomes the establishment by the Secretary-General of a United Nations Voluntary Trust Fund for Demining as a necessary and timely mechanism to channel funding to humanitarian demining operations.

"The Security Council appeals to all States to contribute to this Fund as well as to other voluntary funds set up by the Secretary-General for certain peace-keeping operations which contain demining elements.

"6. Demining activities should, as much as possible, make use of the appropriate modern mine-clearance technologies and specialized equipment and focus on the creation and strengthening of local demining capabilities; training programmes should attach particular importance to this aspect. Where this would be of benefit to the operational effectiveness of a peace-keeping operation, consideration should also be given to including provision for the training of a local demining capability in mandates of peace-keeping operations.

"The Security Council encourages the Special Committee on Peace-keeping Operations, given its responsibility for a comprehensive review of

the whole question of peace-keeping operations, to continue and intensify its considerations of the operational demining aspects of peace-keeping operations. These considerations might include an analysis of mine-clearance experience in previous peace-keeping operations.

"The Security Council is of the view that the elements outlined in this statement are not exhaustive. The Council will thus keep this issue under review in the context of the establishment of peace-keeping operations and the consideration of specific mandates."

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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3696th meeting of the Security Council, held on 20 September 1996, in connection with the Council's consideration of the item entitled "The situation in Tajikistan and along the Tajik-Afghan border", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the report of the Secretary-General on the situation in Tajikistan of 13 September 1996 (S/1996/754).

"The Security Council expresses its concern at the deterioration of the situation in Tajikistan and at the increasing tension along the Tajik-Afghan border. It reaffirms its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders.

"The Security Council is also concerned about the violations of the Tehran cease-fire agreement of 17 September 1994 (S/1994/1102, annex I) and about the failure of both parties to implement the Ashgabat agreements. It is, in particular, concerned about the ongoing fighting in the Tavildara region and the seizure of the towns of Jirgatal and Tajikabad by the opposition. The Council demands the immediate cessation of all hostilities and acts of violence.

"The Security Council recalls the commitments made by the Government of Tajikistan and by the leadership of the United Tajik Opposition (UTO) to resolve the conflict and to achieve national reconciliation through peaceful means. It regrets that these commitments have not so far been honoured.

"The Security Council commends the efforts of the United Nations Mission of Observers in Tajikistan (UNMOT) and urgently calls upon the parties to cooperate fully with UNMOT and to ensure the safety of the personnel of the United Nations and other international organizations and also calls on them to lift all restrictions on the freedom of movement of UNMOT personnel. In this connection it is concerned about the large-scale use of landmines due to the threat it creates for the population and UNMOT personnel.

"The Security Council welcomes the initiative of the Secretary-General to arrange for an inter-agency mission to Tajikistan to determine how to respond most effectively to the humanitarian situation.

"The Security Council welcomes the renewed work of the Joint Commission and the results of their efforts in reducing tensions in the Garm region and in the Karategin valley.

"The Security Council emphasizes that the primary responsibility rests with the Tajik parties themselves in resolving their differences. It recalls paragraphs 3 and 4 of its resolution 1061 (1996) of 14 June 1996.

"The Security Council commends the efforts of the Secretary-General's Special Representative and calls upon the parties to cooperate fully with him in resuming the inter-Tajik talks. The Council reiterates the importance of the continuation of direct political dialogue between the President of the Republic of Tajikistan and the leader of the UTO for the peace process and encourages them to hold their next meeting as soon as possible."

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STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3697th meeting of the Security Council, held on 20 September 1996, in connection with the Council's consideration of the item entitled "The situation in Croatia", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council has considered the report of the Secretary-General of 23 August 1996 (S/1996/691), submitted pursuant to Security Council resolution 1019 (1995) on Croatia.

"The Security Council notes progress in the humanitarian and human rights situation in some areas. The Council regrets, however, that many of its previous requests have not been complied with by the Government of Croatia. Numerous incidents threatening the population in the formerly Serb-controlled areas are a continuing source of concern and could jeopardize the prospects for peaceful and substantial reintegration of refugees and displaced persons in Croatia.

"The Security Council commends the Agreement between the Republic of Croatia and the Federal Republic of Yugoslavia, signed in Belgrade on 23 August 1996, and expects the commitments contained therein to be implemented.

"The Security Council recognizes steps taken by the Government of Croatia to reintegrate refugees and displaced persons into Croatia but urges the Government to expand its programme to accelerate the return of all such persons without preconditions or delay. The Council urges the Government of Croatia also to expand its humanitarian relief efforts, especially as winter approaches.

"The Security Council in the statement of its President of 3 July 1996 (S/PRST/1996/30) highlighted the need for adoption of a comprehensive amnesty law, in cooperation with the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES). Since the report of the Secretary-General of 23 August 1996 which found no substantial progress in this regard since passage of the Government of Croatia's amnesty law of 17 May 1996, the Republic of Croatia on

20 September 1996 enacted a new amnesty law. The Council welcomes this development as a step towards addressing the concerns outlined by the Statement of the President on 3 July 1996 and emphasizes that such a law must be implemented without delay and in a fair and equitable manner, with full respect for the rights of the individual. The Council will follow such implementation closely. The Council notes that a comprehensive new amnesty law and its equitable application are also vital elements in preparing for elections in Eastern Slavonia and important factors in the successful completion of the UNTAES mandate.

"Despite some positive developments, the Security Council is deeply concerned that residents of the Krajina and Western Slavonia continue to suffer from inadequate security, including the danger of theft or assault at any time. The Council also notes with concern attacks and threats against those engaged in humanitarian relief activities and human rights monitoring in the area. In particular it deplores the reported involvement of Croatian uniformed military and police officials in acts of looting and harassment.

"The Security Council urges the Croatian authorities to act immediately to improve the security situation in those regions. It urges that Croatian officials ensure that members of the military and police refrain from criminal and other unacceptable behaviour, and increase their efforts to protect the human rights of all persons present in Croatia, including the Serb population.

"The Security Council welcomes the recommendations made by the Secretary-General in his report for specific action which must be taken to improve the human rights situation in the Republic of Croatia, inter alia, in the framework of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951, annex), as part of the peace process towards a comprehensive political settlement in the region. In this context, the Council calls upon the Government of Croatia to expand investigations of crimes committed against the Serb population in 1995. The Council again calls upon the Government of Croatia to rescind its decision of September 1995 suspending certain constitutional provisions affecting the rights of national minorities, principally Serbs.

The Security Council reminds the Government of Croatia of its obligation to cooperate with the International Tribunal for the Former Yugoslavia and, in particular, to execute the arrest warrants issued by the Tribunal regarding individuals under Croatian jurisdiction, including prominent accused persons known or believed to be in areas under its control, and to transfer to the Tribunal all indicted persons. In this context, the Security Council deplores the failure to date of the Republic of Croatia to execute the arrest warrants issued by the Tribunal against individuals indicted by the Tribunal, in particular the Bosnian Croats referred to in the letter of 16 September 1996 from the President of the Tribunal to the President of the Council (S/1996/763), and calls for the execution of those arrest warrants without delay.

"The Security Council recalls that no individual should be arrested and detained on the territory of the former Yugoslavia for serious violations of international humanitarian law until and unless the International Tribunal has reviewed the case and agreed that the warrant, order, or indictment meets international legal standards.

"The Security Council will remain seized of the matter and requests that the Secretary-General continue to report on the situation, in any case no later than 10 December 1996."